

R E M A R K S

Status of the Claims

Claims 1-19 are pending in this application. No claims have been canceled. Claims 11-19 have been added. Claim 3 has been amended to recite that the resin layer (A) contains a transparent layer and a colored layer. No new matter has been added by the above claim amendments.

Rejection under 35 USC 103(a)

The Examiner rejects claims 1-10 as obvious over Spain U.S. Patent 5,725,712 (Spain '712) in view of Saeki U.S. Patent No. 5,829,804 (Saeki '804). Applicants traverse the rejection and respectfully request the withdrawal thereof.

The present invention is directed to a laminated film comprising a resin layer (A) that contains acrylic resin and a resin layer (B) that contains a resin composition that comprises (a) 10 to 98% by weight of a propylene polymer, (b) 1 to 60% by weight of an inorganic filler, and (c) 1 to 60% by weight of a thermoplastic elastomer, where components (a), (b) and (c) equal 100% by weight.

Spain '712 discloses a dry paint process for making automotive body panels. Figure 4 of Spain '712 shows a laminate having a carrier, a clear coat, a color coat, and a size coat. Spain '712

fails to disclose a film having a layer containing inorganic filler. Spain '712 also fails to disclose a film having a layer containing a thermoplastic elastomer. Spain '712 further fails to disclose the amounts of the components such as is set forth in the presently claimed invention. It appears that the Examiner is focused on a thermoplastic polypropylene substrate containing a filler in Examples 1, 12 and 13. However, the substrates of Examples 1, 12 and 13 are not films. Spain '712 completely fails to disclose or suggest a film of the present invention.

The Examiner relies on Saeki '804 as a secondary reference to complete the teachings of Spain '712. However, Applicants submit that Saeki '804 fails to compensate for the deficiencies in Spain '712.

Saeki '804 discloses a resin composition containing propylene polymer, ethylene-propylene copolymer rubber and talc. Saeki '804 discloses a resin composition for making bumpers. A bumper is certainly not a film. Saeki '804 fails to disclose a laminated film. Saeki '804 fails to disclose the ranges such that curling of the laminated film is prevented (specification at page 13, lines 18 and 19), prevention of the laminated film from shrinking (specification at page 14, lines 3-4) and the laminated film is prevented from shrinking during or after thermoforming and the rigidity is retained (specification at page 14, lines 21-24).

Applicants submit that one of ordinary skill in the art would not be motivated to arrive at the present invention from the combination of teachings in Spain '712 and Saeki '804 as neither reference discloses a laminated film. Neither reference discloses the specifically claimed amounts of the individual components as in claim 1 of the present claims. Furthermore, the present invention is a laminated film, yet the primary reference is in the field of paint and the secondary reference is in the field of automotive parts. No reasonable person of ordinary skill in the art would be motivated by Spain '712 to use the teachings from a reference on automotive parts to make a laminated film.

As such, Applicants submit that no prima facie case of obviousness has been established and the rejection should be withdrawn.

Conclusion

As Applicants have addressed and overcome all rejections in the Office Action, Applicants respectfully request that the rejections be withdrawn and that the claims be allowed.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Kecia Reynolds (Reg. No. 47,021) at the telephone number of the undersigned below.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

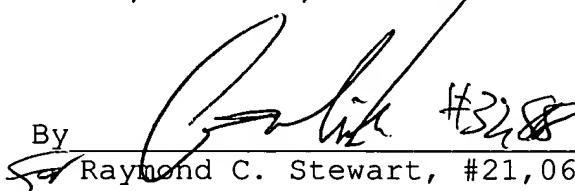
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant(s) respectfully petition(s) for a three (3) month extension of time for filing a reply in connection with the present application, and the required fee of \$930.00 is attached hereto.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By

 #3288
Raymond C. Stewart, #21,066


RCS/KUR:bmp
2185-0532P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment: Version with Markings to Show Changes Made

(Rev. 02/20/02)

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims have been amended as follows:

Claim 3. (Amended) The laminated film according to Claim 1, wherein the resin layer (A) contains [at least two layers of] a transparent layer and a colored layer, wherein the transparent layer is an outermost layer.

Claims 11-19 have been added.